

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
Plaintiff,)
)
v.)
)
ATTICUS, LLC,)
)
Defendant.)

ORDER

This matter is before the court on Plaintiff's unopposed motion to seal portions of Plaintiff's Response in Opposition to Defendant's Motion and Memorandum for Leave to File a Supplemental Reply in Support of its Motion to Amend its Answer and Counterclaims. Plaintiff seeks to seal the filing on the ground it "contains sensitive business and technical information, including information concerning a non-public legal matter." (Mot. Seal [DE #209] at 1.)

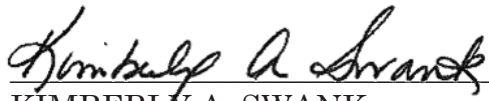
For the reasons set forth in Plaintiff's motion and supporting memorandum, the court finds that the public's common law right of access is outweighed by Plaintiff's interests in protecting against competitive and/or financial harm to Plaintiff were such information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of Plaintiff's request to seal and a reasonable opportunity to object have been provided by the filing of its motion, and no objections have been filed with the court. Plaintiff has narrowly tailored its request to remove only information that is sensitive and confidential and not otherwise publicly known.

Furthermore, the court has denied Defendant's motion for leave to file its proposed supplemental reply as unnecessary to the court's determination of Defendant's motion to amend. Plaintiff's motion is therefore allowed.

CONCLUSION

For the foregoing reasons, Plaintiff's Motion to Seal [DE #209] is GRANTED. Plaintiff's Response in Opposition to Defendant's Motion and Memorandum for Leave to File a Supplemental Reply in Support of its Motion to Amend its Answer and Counterclaims [DE #208] shall be SEALED. A redacted version of this filing is publicly available on the court's docket as Exhibit 1 to the Declaration of Jeff Cecil [DE #210-2].

This 26th day of June 2021.


KIMBERLY A. SWANK
United States Magistrate Judge